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OFFICE OF PETITIONS

In re Application of
James D. Mahan
Application No. 10/609,155
Filed: June 26, 2003
Attorney Docket No. #903

ON PETITION

This is a decision on the petition filed June 26, 2007 under 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

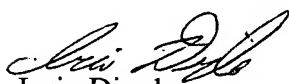
The above-identified application became abandoned for failure to submit the Issue fee and Publication fee in a timely manner in reply to the Notice of Allowance mailed December 12, 2006, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on March 13, 2007.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of payment of the Issue fee and Publication fee; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the issue fee is accepted as having been unintentionally delayed.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3210.

This matter is being referred to the Publishing Division for further processing.


Irvin Dingle
Petitions Examiner
Office of Petitions